

PHILLIP A. TALBERT
United States Attorney
JAMES R. CONOLLY
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SARAH ANDERSON,
FABIAN GOMEZ,
EPIFANIO RAMIREZ,
WENDY LABUDA,
WILLIAM OWEN,
JOALEEN ROGERS,

Defendants.

CASE NO. 2:22-CR-147-WBS

STIPULATION FOR EXTENSION OF TIME FOR
PRELIMINARY HEARING/ARRAIGNMENT FOR
JOALEEN ROGERS PURSUANT TO RULE 5.1(d)
AND EXCLUSION OF TIME

DATE: July 8, 2022
TIME: 2:00 p.m.
COURT: Hon. Deborah L. Barnes

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney James R. Conolly, and defendant Joaleen Rogers, individually and by and through her counsel of record, Tamara Solomon, hereby stipulate as follows:

1. The Complaint in this case was filed on June 14, 2022. ECF No. 1 (formerly Case No. 2:22-MJ-95-KJN). Ms. Rogers first appeared before a judicial officer of the Court in which the charges in this case were pending on June 17, 2022. The court set a preliminary hearing date of July 1, 2022, and later moved the preliminary hearing to July 8, 2022, at the request of all parties that had appeared. ECF No. 50.

2. On June 22, 2022, the Court ordered that Ms. Rogers be released to a residential rehabilitation program. ECF Nos. 16, 17.

1 3. On July 6, 2022, the Pretrial Services Office informed the undersigned counsel that there
2 had been reported cases of COVID-19 in the residential rehabilitation facility to which Ms. Rogers had
3 been released, to include persons living in close proximity to Ms. Rogers in the facility.

4 4. Also, on July 6, 2022, a federal grand jury returned an indictment charging Ms. Rogers
5 and five co-defendants with various crimes. ECF No. 55. The preliminary hearing set for July 8, 2022,
6 was therefore converted to an arraignment.

7 5. Given this Court's General Orders implementing precautions against the spread of
8 COVID-19, and out of an abundance of caution, the parties agree that it would be prudent for
9 Ms. Rogers not to have to appear in Court until a sufficient time has passed since the COVID-19 cases
10 in the facility are no longer a concern. In addition to the health and safety concerns attendant to the
11 current pandemic, the cases in the facility will delay defense counsel's ability to meet with her client.

12 6. The Pretrial Services Officer assigned to Ms. Rogers' case does not object to the parties'
13 request to extend time for Ms. Rogers' arraignment.

14 7. By this stipulation, therefore, Ms. Rogers and the government jointly move for an
15 extension of time for Ms. Rogers' arraignment date to July 21, 2022, at 2:00 p.m., before the duty
16 Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. In addition to
17 adhering this Court's General Orders on the pandemic, the parties stipulate that the delay is required to
18 allow the defense reasonable time to prepare, and for the government's continuing investigation of the
19 case. The parties further agree that the interests of justice served by granting this continuance outweigh
20 the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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1 8. The parties agree that good cause exists for the extension of time, and that the extension
2 of time would not adversely affect the public interest in the prompt disposition of criminal cases.
3 Therefore, the parties request that the time between July 8, 2022, and July 21, 2022, be excluded
4 pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

5 IT IS SO STIPULATED.

6 Dated: July 8, 2022

PHILLIP A. TALBERT
United States Attorney

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8 /s/ JAMES R. CONOLLY
 JAMES R. CONOLLY
 Assistant United States Attorney

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10 Dated: July 8, 2022

/s/ TAMARA SOLOMON
 TAMARA SOLOMON
 Counsel for Defendant
 JOALEEN ROGERS

PHILLIP A. TALBERT
United States Attorney
JAMES R. CONOLLY
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT CHOATE,
SARAH ANDERSON,
FABIAN GOMEZ,
EPIFANIO RAMIREZ,
WENDY LABUDA,
WILLIAM OWEN,
JOALEEN ROGERS,

Defendants.

CASE NO. 2:22-MJ-0095-KJN

FINDINGS AND ORDER EXTENDING TIME FOR
PRELIMINARY HEARING/ARRAIGNMENT FOR
JOALEEN ROGERS (6) PURSUANT TO RULE
5.1(d) AND EXCLUDING TIME

DATE: July 8, 2022

TIME: 2:00 p.m.

COURT: Hon. Deborah L. Barnes

The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing/Arraignment Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on July 8, 2022. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the arraignment date for defendant Joaleen Rogers only, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

1 THEREFORE, FOR GOOD CAUSE SHOWN:

2 1. The date of the arraignment for defendant Joaleen Rogers only is **EXTENDED** to **July**
3 **21, 2022, at 2:00 p.m.**

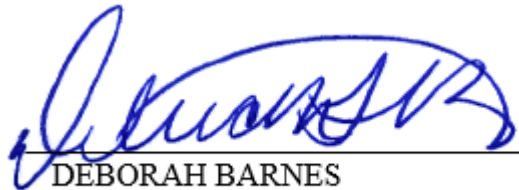
4 2. The time between July 8, 2022, and July 21, 2022, shall be excluded from calculation
5 pursuant to 18 U.S.C. § 3161(h)(7)(A).

6 3. Defendant shall appear at that date and time before the Magistrate Judge on duty.

7 4. The arraignment set for all other defendants in this matter for July 8, 2022, remains
8 unchanged.

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10 IT IS SO ORDERED.

11 DATED: JULY 8, 2022

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15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE
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